

Notice of Allowability

Application No.

10/618,618

Applicant(s)

LIAO, SIMON

Examiner

Joseph F Edell

Art Unit

3636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed 15 July 2003.
2. ☒ The allowed claim(s) is/are 1-3.
3. ☒ The drawings filed on 15 July 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____. |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other _____. |

DETAILED ACTION

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

U.S. Patent No. 4,629,249 to Yamaguchi discloses an angle adjustment device having a fixed plate 2 (Fig. 3) adapted for engagement with a seat 6 (Fig. 3), two arcuate slots 3 (Fig. 3) defined in two opposite side faces 2a (Fig. 3) of the fixed plate, a pivotal plate 7 (Fig. 3) adapted for engagement with a backrest 10 (Fig. 3) and being pivotable relative to the fixed plate, a cylinder 11 (Fig. 2) with a shaft and an actuating pin 11a (Fig. 2), a control lever 15 (Fig. 2) pivotal relative to the fixed plate, and a press member 14 (Fig. 3) driven by the control lever. However, the angle adjustment device of Yamaguchi fails to disclose a fixed plate having two holes respectively defined in the two opposite sides, a pivotal plate having two legs that each include a hole in alignment with the pivot holes of the fixed plate, a mounting frame securely received in the fixed plate and having an extension hole to allow the shaft of the cylinder to extend through, a control rod extending through the opposite sides of the fixed plate, and a control plate driven by the control rod to be moveable relative to the fixed plate and having an extension in alignment with the actuating pin of the cylinder.

U.S. Patent No. 4,916,968 to Kabaya discloses an angle adjustment device having a fixed plate 2 (Fig. 2) adapted for engagement with a seat C (Fig. 2), two pivot holes (Fig. 2) defined in two opposite side faces of the fixed plate, two arcuate slots (Fig. 2) defined in the two opposite side faces of the fixed plate, a pivotal plate (Fig. 2)

adapted for engagement with a backrest D (Fig. 2) and being pivotable relative to the fixed plate, a cylinder 1 (Fig. 2) with a shaft and an actuating pin 11 (Fig. 2), a control wire 44 (Fig. 2), and an operating lever 4 (Fig. 3) driven by the control wire. However, the angle adjustment device of Kabaya fails to disclose a mounting frame securely received in the fixed plate and having an extension hole to allow the shaft of the cylinder to extend through, a control rod extending through the opposite sides of the fixed plate, and a control plate driven by the control rod to be moveable relative to the fixed plate and having an extension in alignment with the actuating pin of the cylinder.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to angle adjustment devices:

U.S. Pat. No. 3,024,067 to Brandoli

U.S. Pat. No. 3,807,796 to Wirges

U.S. Pat. No. 4,370,001 to Örnberg

U.S. Pat. No. 4,408,800 to Knapp

U.S. Pat. No. 6,149,236 to Bräuning

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph F. Edell whose telephone number is (703) 605-1216. The examiner can normally be reached on Mon.-Fri. 8:30am-5:00pm.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-

2168



JE

December 8, 2003



PETER R. CROWN
PRIMARY EXAMINER